

**FILED**  
U.S. District Court  
District of Kansas

DEC. 22 2015

Clerk, U.S. District Court  
By am Deputy Clerk

IN UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,	)	
	)	Case No. 15-CR-10173-EFM
Plaintiff,	)	
	)	PETITION TO ENTER PLEA OF GUILTY
v.	)	AND ORDER ENTERING PLEA
	)	
JACAM MANUFACTURING, LLC,	)	[Federal Rules of Criminal Procedure, Rules
	)	10 and 11]
Defendant	)	
	)	

The defendant represents to the Court:

(1) My full true name is: **Jason West, President of Jacam Manufacturing, LLC** ("Jacam"). I am 39 years of age. I have completed **Juris Doctorate** grade.

(2) I am represented by lawyers, their names are: **Thomas B. Snyder and Gary Ayers.**

(3) I received a copy of the Indictment<sup>1</sup> before being called upon to plead. I read the Indictment and have discussed it with Jacam's lawyers. I fully understand every charge made against Jacam.

(4) I told Jacam's counsel all the facts and circumstances known to me about the charges made against Jacam in the Indictment. I believe that Jacam's lawyers are fully informed on all such matters.

(5) I know that the Court must be satisfied that there is a factual basis for a plea of "GUILTY" before Jacam's plea can be accepted. I represent to the Court that based on the information known or made known to me, Jacam did the following acts in connection with the charges made against it in Count(s): **One and Two. See the Factual Basis Set forth in the Plea Agreement filed concurrently herewith.**

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<sup>1</sup> "Indictment" also includes "Information."

(6) Jacam's lawyers have counseled and advised me on the nature of each charge, on all lesser included charges, and on all possible defenses that Jacam might have in this case.

(7) I know that Jacam has the right to plead "NOT GUILTY" to any offense charged against it. If Jacam pleads "NOT GUILTY" I know the Constitution guarantees Jacam: (a) the right to a speedy and public trial by a jury; (b) at that trial, and at all stages of the proceedings, the right to the assistance of a lawyer; (c) the right to see and hear all witnesses called to testify against it, and the right to cross-examine those witnesses; (d) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in its favor; and (e) the right not to be compelled to incriminate myself by taking the witness stand, and if I do not take the witness stand, no inference of guilt may be drawn from such decision.

(8) I know that if Jacam pleads "GUILTY," it is thereby waiving its right to a trial, and that there will be no further trial of any kind, either before a Court or jury; and further, I realize the Court may impose the same punishment as if Jacam had pleaded "NOT GUILTY," stood trial, and been convicted by a jury.

(9) I know that if Jacam pleads "GUILTY," the Court will ask me questions about the offense(s) to which Jacam has pleaded, and since I will be answering these questions under oath, on the record, and in the presence of my lawyer, that my answers may later be used against Jacam in a prosecution for perjury or false statement.

(10) My lawyer informed me that the plea of "GUILTY" could subject Jacam to a mandatory minimum sentence of not less than N/A years (if applicable) and to a maximum punishment which, as provided by law, is 3 years' probation and a fine of not less than \$ N/A nor more than \$500,000 (which may accrue interest if not paid at time of sentencing) for the offense(s) charged in Count(s) One and Two of the Indictment or Information.

(11) I know that in addition to any other penalty imposed, including any fine or restitution order, the Court is required to impose a special monetary assessment in the amount of \$200.

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\$100 for each count in which the offense occurred after April 24, 1996. (Not less than \$100.00 for a felony, \$25.00 for a Class A misdemeanor; if the defendant is other than an individual the assessment is not less than \$400.00 for a felony and \$100.00 for a Class A misdemeanor). I UNDERSTAND THIS SPECIAL ASSESSMENT MUST BE PAID AT THE TIME OF THE SENTENCING HEARING UNLESS THE COURT DIRECTS OTHERWISE.

(12) I declare that no officer or agent of any branch of government (federal, state, or local) has promised, suggested, or predicted that Jacam will receive a lighter sentence, or probation, or any other form of leniency if it pleads "GUILTY," except as follows: The Plea Agreement in this case is entered into pursuant to Federal Rule of Criminal Procedure

**(c)(1)(C). Jacam's guilty plea is therefore conditioned on the Court's acceptance of the terms of that Plea Agreement.**

My attorney did discuss how the Sentencing Guidelines may apply in my case.

If anyone else, including Jacam's attorneys, made such a promise, suggestion, or prediction, except as noted in the previous sentence, I know that he had no authority to do so.

(13) I understand that a U.S. Probation Officer will be assigned to conduct a thorough presentence investigation to develop all relevant facts concerning my case, unless the Court finds that there is in the record sufficient information to enable the meaningful exercise of sentencing authority pursuant to 18 U.S.C. § 3553. The report of the presentence investigation shall contain the factors set forth in Rule 32. These include the classification of the offense and of the defendant under the categories established by the Sentencing Commission, the kinds of sentence available to the Court, and the sentencing range the officer believes applicable. The report shall include the history and characteristics of the defendant, and such other information required by the Court recognizing the factors set forth in paragraph (16) above.

(14) My plea of guilty is the result of Jacam's plea agreement entered into between the Government attorney, Jacam's attorneys, and Jacam.

If Jacam's plea of guilty is the result of a plea agreement, I hereby state that the terms of said agreement are as follows:

**See attached plea agreement.**

I fully understand that the Court is not bound by the terms of the plea agreement, and may accept or reject said agreement. If the Court rejects the agreement, I also understand the Court will not give me the opportunity to withdraw my plea of guilty, unless the plea agreement, signed by all parties, is executed in accordance with Federal Rules of Criminal Procedure, Rule 11(c)(1)(A) or Rule 11(c)(1)(C).

(15) I believe that Jacam's lawyers have done all that anyone could do to counsel and assist it, AND I AM SATISFIED WITH THE ADVICE AND HELP THEY HAVE GIVEN JACAM.

(16) I know that the Court will not permit anyone to plead "GUILTY" who maintains he/she is innocent and, with that in mind, and because Jacam is "GUILTY" and do not believe Jacam is innocent, Jacam wishes to plead "GUILTY", and respectfully request the Court to accept its plea of "GUILTY" and to have the Clerk enter its plea of "GUILTY" as follows.

**Guilty as charged in Count One and Count Two of the Information.**

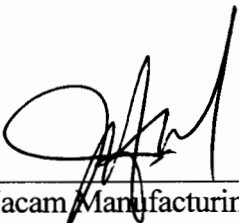
(17) My mind is clear, I am not under the influence of alcohol. I currently am not under a doctor's care. The only drugs, medicines or pills that I took within the past seven (7) days are: N/A

(18) I have never been confined in an institution for the treatment of mental illness. I have never been adjudicated mentally incompetent. No psychiatrist, physician, or psychologist has ever found me to be mentally ill. I know of no reason why my mental competence at the time of the commission of the alleged offense(s), or at the present time, should be questioned. (If there are any exceptions to the above statement, explain below.)

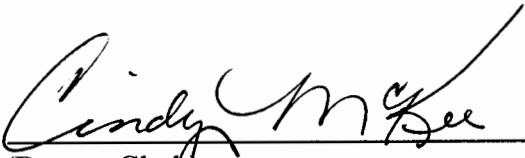
(19) I offer Jacam's plea of "GUILTY" freely and voluntarily, and further state that Jacam's plea of guilty is not the result of any force or threats against me, or of any promises made to me other than those noted in this petition. I further offer Jacam's plea of "GUILTY" with full understanding of all the matters set forth in the Indictment, in this petition, and in the certificate of my attorney which is attached to this petition. I waive the reading of the Indictment in open court, and I request the Court to enter my plea of "GUILTY" as set forth in paragraph (16) of this petition.

(20) I swear that I have read, understood, and discussed with my attorneys, each and every part of this Petition to Plead Guilty, and that the answers which appear in every part of this petition are true and correct.

Signed and Sworn to by me in open court, in the presence of my attorney,  
this 22nd day of December, 2015.

  
\_\_\_\_\_  
Jacam Manufacturing, LLC  
By: Jason West  
Its: President

Subscribed and Sworn to before me this 22nd day of December, 2015.

  
\_\_\_\_\_  
(Deputy Clerk)

CERTIFICATE OF COUNSEL

The undersigned, as lawyer and counselor for the defendant Jacam Manufacturing, LLC hereby certifies:

(1) I have read and fully explained to the defendant the allegations contained in the Information in this case.

(2) To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the foregoing petition are in all respects accurate and true.

(3) I explained the maximum penalty for each count to the defendant.

(4) The plea of "GUILTY" offered by the defendant in paragraph (20) accords with my understanding of the facts it has related to me and is consistent with my advice to the defendant.

(5) In my opinion, the defendant's waiver of reading of the Indictment in open court as provided by Rule 10 is voluntarily and understandingly made, and I recommend to the Court that the waiver be accepted.

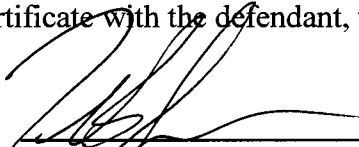
(6) In my opinion, the plea of "GUILTY" offered by the defendant in paragraph (20) of the petition is voluntarily and understandingly made. I recommend that the Court accept the plea of "GUILTY."

(7) I have made no predictions or promises to the defendant concerning any sentence the Court may award, except as noted in the space below:

I have discussed with my client how the Sentencing Guidelines may apply in his case.

(8) I further represent to the Court that the defendant's plea of "GUILTY" is the result of a plea agreement. The terms of the agreement are set out in paragraph (18) of the petition, and I have informed the defendant that the Court is not bound by the terms of the agreement and that if the Court rejects the agreement, the Court will not give him/her the opportunity to withdraw his/her plea of "GUILTY," unless the plea agreement, signed by all parties, is executed in accordance with Federal Rules of Criminal Procedure, Rule 11(c)(1)(A) or Rule 11(c)(1)(C).

Signed by me in open court in the presence of the defendant above named and after full 5 discussion of the contents of this certificate with the defendant, this 22nd day of December, 2016. 164



Thomas B. Snyder  
(Attorney for the Defendant)

ORDER

I find that the plea of guilty was made by the defendant freely, voluntarily, and because <sup>its</sup> ~~he/she~~ is guilty as charged, and not out of ignorance, fear, inadvertence or coercion, and with full understanding of its consequences. I further find that the defendant has admitted the essential elements of the crime charged and is mentally competent.

IT IS THEREFORE ORDERED that the defendant's plea of "GUILTY" be accepted and entered as prayed for in the petition and as recommended in the certificate of <sup>its</sup> ~~his/her~~ lawyer.

Done in open court this 22nd day of December, 2015.

  
UNITED STATES DISTRICT JUDGE